

09/869475

28 JUN 2001

EXPRESS MAIL LABEL NO. EL828141773US

DATE OF DEPOSIT: June 28, 2001

Attorney Reference Number 6235-59221

Application Number

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Morishita and Ogihara

Art Unit: To Be Assigned

Application No. To Be Assigned

Filed: Herewith

For: GENE THERAPY FOR DIABETIC ISCHEMIC
DISEASE

Examiner: To Be Assigned

Date: June 28, 2001

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on June 28, 2001 as Express Mail Label No. EL828141773US in an envelope addressed to: BOX PCT, COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

William D. Noonan, M.D.
Attorney for Applicant

BOX PCT
COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

PRELIMINARY AMENDMENT

Prior to examination of the above-referenced application, please amend the application as follows:

In the specification:

On page 1, line 4, please insert the following paragraph:

--Priority Claim

This application claims priority under 35 U.S.C. § 371 to PCT Application No. PCT/JP00/07502, filed October 26, 2000, which claims priority to Japanese Patent Application No. 11/309984, filed October 29, 1999, each of which is incorporated by reference in its entirety herein.--

In the claims:

1. (Amended) A therapeutic agent for treating a diabetic ischemic disease, comprising a therapeutically effective amount of a nucleic acid encoding hepatocyte growth factor (HGF).